

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CARLA R. McBEATH,

Plaintiff,

-against-

SPENCE-CHAPIN SERVICES TO FAMILIES  
AND CHILDREN; NOOR STAFFING GROUP,  
LLC,

Defendants.

Case No. 1:24-cv-03151 (JLR)

**ORDER OF SERVICE**

JENNIFER L. ROCHON, United States District Judge:

Plaintiff, who is proceeding *pro se*, brings this action under the Age Discrimination in Employment Act of 1967 and the New York State and City Human Rights Laws, alleging that her employer discriminated against her based on her age. By order dated May 8, 2024, Chief Judge Swain granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).<sup>1</sup>

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<sup>1</sup> Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

To allow Plaintiff to effect service on Defendants Spence-Chapin Services to Families and Children and Noor Staffing Group, LLC through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for these defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (it is the plaintiff’s responsibility to request an extension of time for service).


Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

The Clerk of Court is instructed to issue summonses for Spence-Chapin Services to Families and Children and Noor Staffing Group, LLC; complete the USM-285 form with the addresses for these defendants; and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is further instructed to mail an information package to Plaintiff.

Dated: May 17, 2024  
New York, New York

SO ORDERED.

  
JENNIFER L. ROCHON  
United States District Judge

**SERVICE ADDRESS FOR EACH DEFENDANT**

1. Spence-Chapin Services to Families and Children  
120 E. 16th Street, 11th Floor  
New York, NY 10003
2. Noor Staffing Group, LLC  
622 Third Avenue, 7th Floor  
New York, NY 10017